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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,961	08/31/2001	Seung-Cheol Hong	P54428RE	7701

7590 11/19/2002

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EXAMINER

DHARIA, RUPAL

ART UNIT

PAPER NUMBER

2189

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,961

Applicant(s)

HONG ET AL.

Examiner

Rupal D. Dharia

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2002 and 24 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 49-54 is/are allowed.
- 6) ☒ Claim(s) 11-33, 35, 36, 38, 42, 43, 46, 55, 56 and 60 is/are rejected.
- 7) ☒ Claim(s) 34, 37, 39-41, 44, 45, 47, 48 and 57-59 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-33, 35-36, 38, 42-43, 46, 55-56, and 60, are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Heineman (5,465,366).

3. As per claims 11, 17, 21, 25, 31, 35, 38, and 55, AAPA teaches a power saving display device and method for controlling power thereof including a power supply providing power to a heater of a tube in a monitor (Fig. 1; col. 1, lines 37-67; col. 4, lines 10-60). However, AAPA does not teach a switching circuit being disposed between the main power supply and the heater for switching off the power to the heater when the monitor enters the power-off mode.

Heineman teaches that it is known to provide a switching circuit between a power supply input and output to a monitor for controlling power to the monitor in response to a control signal (Abstract; Fig. 2; col. 2, lines 30-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the switching circuit as taught by Heineman in the system of AAPA because it would provide a control for saving power and preventing burn-in from constant display of the same image and also prolong the monitor life.

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4. As per claims 12, 18, 22, 26, 32, 43, 46, and 56, AAPA and Heineman discloses the claimed invention as described above and furthermore AAPA teaches a control unit receiving a video synchronization signal and generating a control signal to control the switch (Fig. 1; col. 1, lines 23-35; col. 4, lines 30-43).

5. As per claims 13, 15, 19, 23, 27, 29, 33, and 36, AAPA and Heineman discloses the claimed invention as described and AAPA teaches that it is well known and expected in the art to include a mode indicator including LEDs for indicating a power mode (Fig. 1; col. 2, lines 4-14; col. 4, lines 47-60).

6. As per claims 14, 20, 24, and 28, AAPA and Heineman discloses the claimed invention as described above and furthermore AAPA teaches the present power mode being one selected from among a plurality of power modes in accordance with DPMS standards (col. 4, lines 10-45).

7. As per claims 16, 30, 42, and 60, AAPA and Heineman disclose the claimed invention as described above. Official notice is taken in that both the concepts and advantages of using transistors for switching is well known and expected in the art of switching. It would have been obvious to one ordinary skill in the art at the time the invention was made to include the transistor as the switching circuit to provide a reliable component for switching and to adhere to common practice in the technology as the transistor is a fundamental component in all modern electronics.

Response to Arguments

1. Applicant's arguments with respect to claims 1-60 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

1. Claims 1-10 and 49-54, are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:
Prior art does not teach all of the limitations of the independent claims in combination with other elements. Specifically, prior art does not teach power management for a display monitor that contains a switching circuit provided in a heater power supply line between the output of a transformer and a heater of a color display tube of the monitor for switching off the heater power supply line when the monitor enters a power-off mode based upon receiving or not receiving video synchronization signals from a video signal from video port and further prior art does not teach a mode indicator connected to indicate the power-mode of the monitor based upon a mode indicating signal in combination with the above.
1. Claims 34, 37, 39-41, 44-45, 47-48, and 57-59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

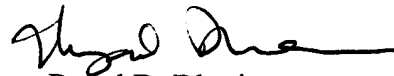
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rupal D. Dharia whose telephone number is (703) 305-4003.

The examiner can normally be reached on M-F 7:00 AM- 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Wong can be reached on (703) 305-3477. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3600.



Rupal D. Dharia
Primary Examiner
Art Unit 2181

Rdd
November 15, 2002

April 19, 2002

Reissue No. 09/942,961 (US Patent No. 5,944,830)

All claims are to be examined. There is no presumption of validity attached to the claims which were previously issued in the parent application. Applicant has surrendered those claims in filing the Reissue application.

Note : Reissue applications filed after Nov. 29, 2000 are subject to Restriction Practice.

1. The declaration is defective. It fails to identify at least one error as required by 37 CFR 1.175 (a) (1).

The declaration includes a statement that the error was in claiming *more or less* than the applicant had a right to claim in the original patent. However, the declaration does not describe how the error renders the original patent wholly or partly 'inoperative' or 'invalid' (see MPEP, 1414(II)). The statement of claiming *more or less* does not clearly describe the error in the original patent. Also note that applicant refers to claim language, but this language does not explain whether applicant claimed more or less in the original patent. Applicant needs to state that either more or less than the applicant had right to claim (but not both) was claimed in the original patent.

In the declaration by the Assignee, the assignee has offered to surrender the original patent **and** states that the original is lost or inaccessible. The assignee can either offer to surrender the original patent or state that the original patent is lost or inaccessible, but cannot do both at the same time. See MPEP 1416, and 37 CFR 1.178.

2. Make sure all art cited in the parent is included in either an 892 or a 1449 in the reissue case.
3. In the combined declaration and consent of Assignee, the assignee failed to establish ownership in accordance with 37 CFR 1.172(a) and 3.73(b). There is no documentary evidence showing chain of title from the original owner to the assignee. Only an incomplete statement specifying where documentary evidence of the same is recorded in the assignment records of the Office without the reel and frame number has been submitted.
4. **This is a broadening reissue.** Check the record of the parent application to determine if there is improper recapture. Please indicate in the Search Notes that the parent was reviewed. If there is no issue of recapture, no further action is necessary. If there is a question regarding recapture, but you determine (based on knowledge of the parent, art, expertise etc.) that there is no improper

recapture, please either (a) indicate this in the Office action if you feel it is warranted, or (b) include a note for the reviewers.

5. The pre-amendment of Paper No. 3 is improper because (i) no "marked-up" copy of claims is required for reissue applications, and (ii) the amendments to claims 7 and 8 presented in the single column format are not clear. You can suggest that applicant resubmits claims 7 and 8 in a cleaner form, so the addition/deletions are clearly identified.

These comments are based on only a preliminary review of the application, and the notes are not comprehensive. You need to do a complete examination of the application, apply all appropriate objections/rejections, and formulate a complete Office action.

Please return this note and include the parent case when submitting the action for review, in order to expedite the review process. If you have any questions call me. Thank you.

Kakali Chaki

Primary Examiner, AU 2122
PK2 2D30
305-9662

Please remember to wand all cases (particularly the issued parent) so they can be located.